

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Benjamin Shelton	Team: Squad #11	CCRB Case #: 202102551	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 04/15/2021 6:00 PM, Friday, 04/16/2021 4:30 AM	Location of Incident: an unknown location and 3424 Kossuth Avenue	Precinct: 52	18 Mo. SOL 10/16/2022	EO SOL 10/16/2022	
Date/Time CV Reported Fri, 04/16/2021 5:31 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 04/26/2021 11:38 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Erick Estrada	11358	967497	034 PCT
2. Officers			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Jeffrey Griffin	01105	934963	052 PCT

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: On April 15, 2021, at an unknown location, officers forcibly removed § 87(2)(b) to the hospital.	
B.POM Erick Estrada	Force: On April 16, 2021, at 3424 Kossuth Avenue in the Bronx, Police Officer Erick Estrada used physical force against § 87(2)(b)	

Case Summary

On April 16, 2021, § 87(2)(b) filed the following complaint with IAB over the phone, generating IAB log #21-08757. On April 26, 2021, the CCRB received this complaint via IAB log #21-9153.

The IAB log provided a phone number for § 87(2)(b). Between April 27, 2021, and May 20, 2021, § 87(2)(b) was called twelve times. On the first call, he confirmed his contact information including an email address and scheduled a phone interview for the following day. He received the details for that interview the same day via email. On April 28, 2021, § 87(2)(b) missed two calls for his scheduled interview. On April 30, 2021, § 87(2)(b) was called a fourth time and stated “life” came up, so he missed his previously scheduled interview. He rescheduled an interview for May 3, 2021. On May 3, 2021, he was called a fifth time for his scheduled interview and during this, he halted the interview to protest the investigator’s line of questioning and requested to speak to a supervisor for his complaint to be reassigned. He was called back that same day to be informed that Investigative Manager Edwin Peña would be contacting him to discuss his complaint. On May 7, 2021, IM Peña called § 87(2)(b) a seventh time and it was agreed between § 87(2)(b) and IM Peña that a three-way phone interview would be set up with the investigator to conduct the interview, which was confirmed by the investigator and § 87(2)(b) the same day during the eighth call. § 87(2)(b) was called an additional four times and each time a voicemail was left. Other than one missed call left on Saturday, May 15, 2021, at approximately 2:00 a.m., before the eleventh and twelfth phone calls, no calls were returned.

Between April 27, 2021, and May 8, 2021, § 87(2)(b) was emailed four times. No emails were returned.

On May 24, 2021, searches of the databases of the Departments of Correction for New York City and New York State confirmed that § 87(2)(b) was not currently incarcerated.

§ 87(2)(g)

Squad: 11

Investigator: Benjamin Shelton Inv. Benjamin Shelton 5/24/2021
Signature Print Title & Name Date

Squad Leader: Edwin Pena IM Edwin Pena 05/24/21
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date